

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

INTERNATIONAL APPLICATION NO.
PCT/JP99/03682 ✓INTERNATIONAL FILING DATE
07 July 1999 ✓PRIORITY DATE CLAIMED
27 August 1998 ✓

TITLE OF INVENTION

NUCLEIC ACID SEQUENCE FOR POTENTIATING THE EXPRESSION OF USEFUL GENE AND METHOD
THEREFOR ✓

APPLICANT(S) FOR DO/EO/US

YAMADA, Osamu; YOSHIDA, Hiroshi; ZHANG, Jing ✓

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. has been transmitted by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. A copy of the International Search Report (PCT/ISA/210).
8. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. have been transmitted by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
9. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 13 to 20 below concern document(s) or information included:

13. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. A **FIRST** preliminary amendment.
16. A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. A substitute specification.
18. A change of power of attorney and/or address letter.
19. Certificate of Mailing by Express Mail
20. Other items or information:

Sequence Listing, computer readable format and paper copy

Translation of Annexes related to an amendment to the specification pursuant to PCT Article 34

U.S. APPLICATION NO. (IF KNOWN, SEE 37

09/76383

INTERNATIONAL APPLICATION NO.

PCT/JP99/03682

ATTORNEY'S DOCKET NUMBER

19036/37156

21. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO and International Search Report not prepared by the EPO or JPO	\$1,000.00
<input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO	\$860.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO	\$710.00
<input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)	\$690.00
<input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4)	\$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$860.00

Surcharge of \$130.00 for furnishing the oath or declaration later than 20 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

\$0.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	43 - 20 =	23	x \$18.00	\$414.00
Independent claims	5 - 3 =	2	x \$80.00	\$160.00
Multiple Dependent Claims (check if applicable).			<input type="checkbox"/>	\$0.00
			TOTAL OF ABOVE CALCULATIONS	= \$1,434.00
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable).			<input type="checkbox"/>	\$0.00
			SUBTOTAL	= \$1,434.00
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)).			<input type="checkbox"/> 20 <input type="checkbox"/> 30 +	\$0.00
			TOTAL NATIONAL FEE	= \$1,434.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).			<input type="checkbox"/>	\$0.00
			TOTAL FEES ENCLOSED	= \$1,434.00
			Amount to be: refunded	\$
			charged	\$

A check in the amount of \$1,434.00 to cover the above fees is enclosed.

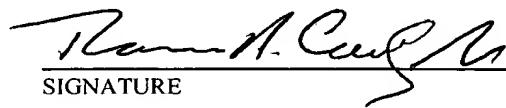
Please charge my Deposit Account No. in the amount of to cover the above fees.
A duplicate copy of this sheet is enclosed.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 13-2855 A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

GASS, David A.
 Marshall, O'Toole, Gerstein, Murray & Borun
 6300 Sears Tower
 233 South Wacker Drive
 Chicago, Illinois 60606
 United States of America



SIGNATURE

Thomas A. Cawley, Jr., PhD.

NAME

40,944

REGISTRATION NUMBER

2-27-2001

DATE

9/763836

PATENT APPLICATION

IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE

Applicants:) "EXPRESS MAIL" mailing label No.
 YAMADA et al.) EL566464317US
)
 U.S. National Phase of International) Date of Deposit:
 Application No. PCT/JP99/03682 filed under) February 27, 2001
 35 U.S.C. §371)
 International Filing Date: 08 July 1999) I hereby certify that this paper (or fee) is being
 Filed: Herewith) deposited with the United States Postal Service
) "EXPRESS MAIL POST OFFICE TO
 For: Nucleic Acid Sequence for Potentiating) ADDRESSEE" service under 37 CFR §1.10 on
 The Expression of Useful Gene and Method) the date indicated above and is addressed to:
 Therefor) Commissioner for Patents, Box PCT,
) Washington, D.C. 20231
 Group Art Unit: Unknown)
)
 Examiner: Unknown)
)
 Attorney Docket No. 19036/37156)
)


 Richard Zimmerman

CERTIFICATION UNDER 37 CFR 1.10

Box PCT
Commissioner for Patents
Washington, D.C. 20231

I hereby certify the attached items are being deposited with the United States Postal Service on February 27, 2001 in an envelope addressed to Box PCT, Commissioner for Patents, Washington, D.C. 20231 utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing No. EL566464317US:

- a. Transmittal letter to the United States Designated/Elected Office (DO/EO/US) concerning a filing under 35 U.S.C. 371;
- b. English translation of Int'l. Appl. No. PCT/JP99/03682 as originally filed;
- c. Translation of Amendment to the Specification of PCT/JP99/03682 as amended under PCT Article 34;
- d. Statement pursuant 37 C.F.R. §1.821; computer readable sequence listing; paper copy of sequence listing;

09/763836
JC03 PCT/PTO 27 FEB 2001

- e. Information Disclosure Statement and Form PTO-1449;
- f. Preliminary Amendment Accompanying New Application Transmittal;
- g. A check in the amount of \$1434.00.



Richard Zimmermann

Date: February 27, 2001